

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF CORRESPONDENCE REGARDING THE ONE HUNDRED SEVENTH
OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH OF
PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT
OF THE COMMONWEALTH OF PUERTO RICO TO INDIVIDUAL PROOFS OF
CLAIM NOS. 89977 AND 67915.**

To the Honorable United States District Judge Laura Taylor Swain:

1. On December 12, 2019, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight”

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Board”), as the sole representative of the Commonwealth, HTA and ERS (collectively, the “Debtors”) pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *One Hundred Seventh Omnibus Objection of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based on Salary Demands, Employment or Services Provided* [ECF No. 9557] (the “One Hundred Seventh Omnibus Objection”) to various proofs of claim.

2. The One Hundred Seventh Omnibus Objection seeks to disallow certain deficient claims which purport to assert liabilities arising from salary or other compensation owed in connection with employment, pensions, or services provided by the claimant, but fail to provide critical information, such as the specific services provided, the salary accrued but unpaid, or other information needed to understand what liabilities any of the Commonwealth, HTA, ERS, or any other Title III Debtor may owe.

3. The Debtors have received the attached correspondence from (a) Flor M. Silva Rodríguez (“Silva Rodríguez”), a copy of which is attached hereto as Exhibit “A” (the “Silva Rodríguez Response”), regarding Proof of Claim No. 89977 (the “Silva Rodríguez Claim”), and from (b) Luz V. Rivas Torres (“Rivas Torres”), a copy of which is attached hereto as Exhibit “B” (the “Rivas Torres Response,” and together with the Silva Rodríguez Response, the “Responses”), regarding Proof of Claim No. 67915 (the “Rivas Torres Claim”). Certified translations of the Silva Rodríguez Response and the Rivas Torres Response are attached hereto as Exhibits “A-1” and “B-1”, respectively.

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

4. The Silva Rodríguez Response consists of a partially-completed Mailing,³ which, as set forth in the One Hundred Second Omnibus Objection, was mailed to claimants whose claims did not provide critical information, such as the specific services provided, the salary accrued but unpaid, or other information needed to understand what liabilities the Commonwealth, HTA, ERS, or any other Title III debtor might owe. The Silva Rodríguez Response purports to assert liabilities in the amount of \$76,431.99, but does not contain any additional information necessary to evaluate the Silva Rodríguez Claim, such as an explanation of the basis for any liabilities owed to Silva Rodríguez. Accordingly, the Debtors have determined that the Silva Rodríguez Response still does not provide sufficient information to enable the Debtors to reconcile the Silva Rodríguez Claim.

5. The Rivas Torres Response consists of a single page from a Mailing, and states that the Rivas Torres Claim is based on a legal action that is pending resolution. The Rivas Torres does not, however, provide basic information necessary to evaluate the Rivas Torres Response, such as the case number for that legal action, the title of that legal action, or an explanation of how the action would give rise to liabilities owed by the Commonwealth, ERS, HTA, or any other Title III Debtor.

6. Accordingly, the Debtors respectfully request that the Court grant the One Hundred Seventh Omnibus Objection and disallow the Silva Rodríguez Claim and the Rivas Torres Claim, notwithstanding the Responses.

Dated: November 11, 2020
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer
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³ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the One Hundred Seventh Omnibus Objection.

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